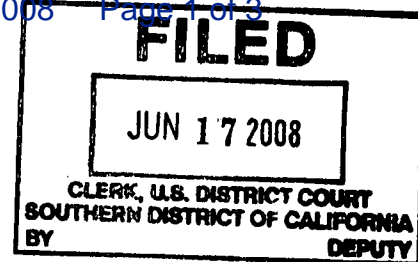


Anibal Silva
P.O. Box 20732
El Cajon, CA 92021



NUNC PRO TUNC
JUN 12 2008

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

)	Case No. 08-CV-00932-MH
)	
ANIBAL MESALA SILVA,)	
Petitioner)	PETITIONER'S MOTION TO STAY
)	OF PROCEEDINGS
v.)	
)	
JAMES MEYERS,)	
Respondent.)	DATE: N/A
)	TIME: N/A
)	
_____)	Hon. Marilyn L. Huff

TO THE HONORABLE JUDGE HUFF, U.S. DISTRICT JUDGE:

COMES NOW Petitioner, Anibal Mesala Silva, and pursuant to Servicemembers Civil Relief Act (SCRA), 50 U.S.C. App. Section 522, moves this court for an initial 90-day stay of proceedings plus a further stay of proceedings of 30 days, showing that his ability to continue with the petition herein is materially affected by his military duties, as follows:

1. Petitioner signed up for active military duty with the U.S. Army in the morning of June 11, 2008 for a period of 3 years and 13 weeks, and was instructed to stay at a hotel waiting to be flown to Military training in the morning of June 12, 2008.
2. Petitioner will be attending Warrior Transition Course, which is an abbreviated version of Basic Training designed for Military Veterans going into the Army, for 4 weeks and AIT training for 7 weeks.
3. Petitioner is not allowed to take any personal items with the exception of one change of clothing, 3 sets of underwear, one pair of comfortable shoes, and basic toilet articles.

CR

4. Petitioner is materiality affected by his military duty in that he cannot be present for any hearings or cannot prepare and file any pleadings with the court during his Army training until such time, his military training is concluded on approximately September 21, 2008.

WHEREFORE Petitioner prays that this court grant him a stay of proceedings until September 30, 2008.

Respectfully Submitted,

A handwritten signature in cursive script, appearing to read 'Anibal Silva', written over a horizontal line.

Anibal Silva, Petitioner pro se
P.O. Box 20732
El Cajon, CA 92021

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on this 11 day of June 2008, the above and foregoing PETITIONER'S MOTION TO STAY OF PROCEEDINGS was served by First Class Mail on the persons listed below as follows:

Beth A. Cluckey
Office of the U.S. Attorney
880 Front Street, Room 6293
San Diego, CA 92101

James Kennedy, Chapter 7 Trustee
P.O. Box 28459
San Diego, CA 92198

I certify under penalty of perjury that the foregoing is true and correct.

Executed on

6/11/08



Anibal Silva
P.O. Box 20732
El Cajon, CA 92021